

REMARKS

By this amendment, claims 1, 7, and 9-17 are amended. Claims 2, 18 and 19 are canceled without prejudice or disclaimer. New claims 21-23 are added. Claim 20 has been allowed. Claims 1, 3-17, and 20-23 are pending for examination.

Applicant thanks the Examiner for allowance of claim 20 and for the indication of allowable subject matter in claims 10-11 and 13.

New Claims 21-23

Applicant notes that new claims 21-23 are added in this amendment. Applicant submits that these claims contain no new matter and that support is found in the specification and figures of the present application as well as in U.S. Provisional Application No. 60/493,630 which is incorporated in the present application by reference.

The Rejections under 35 USC §112

Claims 7 and 15-17 were rejected as indefinite under 35 USC §112, second paragraph. In response, claim 7 has been amended to correct the recitation of a “rocker blocker” to “rocker cam.” Applicant respectfully submits that all terms in claim 7 are now possessed of appropriate antecedent basis.

With regard to claims 15-17, Applicant respectfully points out that claim 14 from which all these claims depend, recites “a base having floor engaging feet and a lower support plate.” Hence, the phrase “lower support plate” as used in claims 15-17 has appropriate antecedent basis. Applicant respectfully requests that these rejections be withdrawn.

The Rejections Under 35 U.S.C. 102(b)

Claims 1-3, 5-9, 12, and 14-15 were rejected under U.S.C. 102(b) as being anticipated by Ré (U.S. Patent No. 3,279,847). Applicant respectfully traverses this rejection in light of the clarifying amendments made to the claims. The claim amendments are clarifying only in nature and are not to be considered as a disclaimer or waiver of any subject matter.

Ré '847 apparently discloses a rocking-reclining chair mechanism, wherein a linkage mechanism is mounted on a "cross bar 24", "which is extendable transversely between the inner faces of the rockers 20." (Col. 1, lines 49-55). This "cross bar 24" is depicted in cross section in the figures of Ré '847 as a solid wood board. It does not have any projecting flanges or other projecting stiffening elements extending along its width dimension as claimed for the present invention in independent claims 1, 14 and 21, nor is there any suggestion of providing such projecting flanges or stiffening elements. Further, Ré '847 does not teach or suggest any configuration of lower or second support plate as claimed for the present invention, let alone a lower support plate that extends between the side rails of the base as claimed for the present invention. Since Ré '847 does not teach or suggest all elements, it cannot anticipate Applicant's claims. Accordingly, Applicant respectfully requests these rejections be withdrawn.

The Rejections Under 35 U.S.C. 103(a)


The Examiner rejected claims 4 and 16 as being obvious over Ré '847 in view of LaPointe et al. (U.S. Patent No. 5,171,000). Applicant also respectfully traverses these rejections.

As explained above, Ré '847 does not by itself teach all elements of the present invention in that it does not disclose at least an upper support plate having projecting flanges or other stiffening elements and does not disclose a lower support plate at all. LaPointe et' al. '000 likewise does not teach or suggest these claimed elements. Hence, the proposed combination of Ré '847 and LaPointe et' al. '000 does not teach or suggest all elements of the claimed invention and accordingly cannot render any of the claims obvious.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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